

# Occupancy Comparison of Projects Approved Since 2001 – In Lease-up – South Dallas

Projects per South Dallas Submarket	Address	Council District	# of Units	Occupancy of Project	Submarket Occupancy
1. Reese Townhomes	1201 S. Ewing	CD 4	80 Units	30%	89.5%

# Occupancy Comparison of Projects Approved Since 2001 – Under Construction – South Dallas

Projects per South Dallas Submarket	Address	Council District	# of Units	Occupancy of Project	Submarket Occupancy
1. Wahoo Frazier	4700 – 4900 Hatcher	CD 7	118 Units		89.5%
2. Mill City Pare Frazier	4700 – 4900 Hatcher	CD 7	116 Units		89.5%

# Occupancy Comparison of Projects Approved Since 2001 – Southwest Dallas

Projects per Southwest Dallas Submarket	Address	Council District	# of Units	Occupancy of Project	Submarket Occupancy
1. Rosemont@ Timbercreek	801 Beckleymeade	CD 8	100 Units	100%	91.7%
2. Rosemont @ Bluff Ridge	8125 Clark Rd	CD 3	256 Units	94%	91.7%
3. Hickory Trace	8629 Old Hickory Trail	CD 8	180 Units	100%	91.7%
4. Providence on the Park	8501 Old Hickory	CD 8	280 Units	98%	91.7%
5. West Virginia	7600 West Virginia Dr.	CD 8	202 Units	100%	91.7%
6. Artisan Ridge	5000 Preakness Lane	CD 3	264 Units	93%	91.7%
7. Homes of Mountain Creek	SW Corner of Skyline and S.E. 14 <sup>th</sup> St.	CD 3	200 Units	100%	91.7%

# Occupancy Comparison of Projects Approved Since 2001 – Oak Cliff

Projects per Oak Cliff Submarket	Address	Council District	# of Units	Occupancy of Project	Submarket Occupancy
1. Madison Point	3600 S R L Thornton	CD 4	176 Units	99%	93.7%
2. Potters House @ Primrose	2515 Perryton	CD 3	280 Units	97%	93.7%
3. Rosemont @ Lakewest	3030 N. Hampton	CD 3	151 Units	97%	93.7%
4. Churchill@ Pinnacle Park	1400 N. Cockrell Hill	CD 3	200 Units	98%	93.7%
5. Providence @ Village Fair	5151 Village Fair Drive	CD 3	236 Units	96%	93.7%

# Occupancy Comparison of Projects Approved Since 2001 - In Lease-up - Oak Cliff

Projects per Oak Cliff Submarket	Address	Council District	# of Units	Occupancy of Project	Submarket Occupancy
1. Luxor Townhomes	NE Quadrant of Cockrell Hill @ Westmoreland	CD 1	100 Units	69%	93.7%

ID	Development	Project Address	Total Units	Year Approved	Issuer
121	DHFC Inactive Goodhaven Apartments	1810 High Hill	332	2006	DHFC
123	Central @ Carroll	4030 N. Central	400	2006	DHFC
TDHCA Inactive/Application Pending					
Approved Tax Credit Projects Completed					
1	Chateau Grande Apartments	10116 Stevens Forest Drive	95	1988	TDHCA
2	Panace William	5041 N. Marquette Avenue	12	1989	TDHCA
3	Stoney Row	7772 Marvin D Love Freeway	126	1989	TDHCA
4	Aurum Creek	10765 E Northwest Highway	82	1990	TDHCA
5	Cross Creek Apartments	8055 E Northwest Highway	264	1990	TDHCA
6	Chapel Creek	2410 Hildago Drive	192	1990	TDHCA
7	Manor On The Park	5122 Park Lane	108	1990	TDHCA
8	March Street Apartments	4500 March Avenue	59	1990	TDHCA
9	Royal Palm	5520 Gaston Avenue	23	1991	TDHCA
10	French Colony Apartments	1225 Farschle	91	1991	TDHCA
11	Mill Run	2762 W Colorado Boulevard	112	1991	TDHCA
12	Lakeland Apartments	510 Westmont Avenue	100	1991	TDHCA
13	Parkwoods (aka Briarcliff)	3035 W Pentagon Parkway	326	1991	TDHCA
14	Cedar Ridge Apartments	7009 Marvin D Love Freeway	192	1991	TDHCA
15	Bora Bora Apartments	5969 Gaston Avenue	40	1991	TDHCA
16	Cliff Park Village Apartments	220 E Orion Road	300	1991	TDHCA
17	Lakewood Apartments	2510 Community Drive	66	1991	TDHCA
18	Northbrook Condominiums	9587 Phylon Freeway	158	1991	TDHCA
19	Crestridge Apartments	6417 Ridgcrest Road	110	1991	TDHCA
20	Redbird Falls Apartments	3636 W Redbird Lane	252	1992	TDHCA
21	Starlight Apartments	9709 Starlight Road	7	1992	TDHCA
22	Conestoga Chase Apts	3120 Valley Meadow Drive	165	1992	TDHCA
23	Diamond Creek Apartments	2402 S Buckner Boulevard	272	1992	TDHCA
24	Woodhollow Apartments	4424 Woodhollow Drive	236	1992	TDHCA
25	Southern Apartments	3727 Dixon Avenue	133	1992	TDHCA
26	Solomon's Court New Legends	1025 West Wheatland Road	124	1992	TDHCA
27	Brown's Place Apartments	3219 San Jacinto Street	22	1993	TDHCA
28	Del Mar Apartments	6466 Ridgcrest Road	266	1993	TDHCA
29	Amber Dawn Apartments	8542 Spring Valley Road	157	1993	TDHCA
30	Laurin Ridge Apartments	3706 W 3rd Street	161	1993	TDHCA
31	Primavera Apartments	2610 Community Drive #47	157	1993	TDHCA
32	Serra Vista Apartments	2775 N. Aven Road	226	1993	TDHCA
33	Finley Woods Community Living Center	4515 Five Oak	61	1993	TDHCA

ID	Development	Project Address	Total Units	Year	Issuer
34	Borsey Grove	10205 Borsey Lane	55	1993	TDHCA
35	The Poinciana @ Rosemeade	3440 Rosemeade Parkway	382	1993	TDHCA
36	Prinze Hill Apartments	2016 Prinze Avenue	118	1993	TDHCA
37	Oakridge Apartments	2803 W. Haines Avenue	16	1993	TDHCA
38	Springridge Apartments	3604 Legendary Lane	196	1993	TDHCA
39	The Trails Apartments	3409 Chapel Creek	302	1993	TDHCA
40	Woodglan Park Apartments	6800 S. Cockrell Hill Road	112	1993	TDHCA
41	Peterson Place Apartments	5425 Peterson Lane	168	1994	TDHCA
42	McIntosh Place Apartments	6552 Shalimar Lane	132	1994	TDHCA
43	Willey Pond	6005 Abrams Road	386	1994	TDHCA
44	Prize Point Apartments	3102 Oranell Lane	321	1994	TDHCA
45	St Charles Townhomes	3569 Almond Drive	752	1994	TDHCA
46	Dalke North Apartments	5557 Alpha Road	266	1994	TDHCA
47	Fletcher House	3544 Marsalis	64	1994	TDHCA
48	Woodglan Park II	6800 S. Cockrell Hill Road	120	1994	TDHCA
49	Park @ Cliff Creek	7310 Marwood Lane	280	1995	TDHCA
50	Emchwood Hills	7802 Villa Cliff Drive	269	1995	TDHCA
51	Brookview Apartment Homes	3595 Skillman	160	1995	TDHCA
52	Freemore @ Eagle Lake Apts	2491 N. Haskell	180	1995	TDHCA
53	Elan Village Apartments	2760 Jeffries	110	1995	TDHCA
54	Melody Village Apartments	5951 Melody Lane	262	1995	TDHCA
55	Peris @ Wynnwood	1910 Argenta Drive	172	1995	TDHCA
56	Waterford @ Goldmark	12695 Goldmark Drive	220	1995	TDHCA
57	Brookwood Apartments	4839 Coles Manor Place	216	1996	TDHCA
58	Freemore North Apartments	2142 Office Parkway	76	1996	TDHCA
59	Las Palmas Apartments	6161 Trail Glen Drive	230	1996	TDHCA
60	Timber Park Apartments	2714 N. Buckner Boulevard	158	1996	TDHCA
61	Miles of Sonneto	3150 Sage Road	245	1996	TDHCA
62	Freemore @ Goldmark	15731 Goldmark	184	1997	TDHCA
63	Columbia Luxe Townhomes	3420 Granthope Avenue	120	1997	TDHCA
64	Villas @ Remond	3459 Remond Drive	134	1998	TDHCA
65	Homes of Possession	3100 Possession	180	1998	TDHCA
66	Residence A @ The Oaks	2740 Duncannon Road	212	1998	TDHCA
67	Cherish of Hickory Trails	8815 Old Hickory Trail	250	1998	TDHCA
68	Oakwood Place	4950 Wadsworth Drive	206	1999	TDHCA
69	Elan Village Apartments	2025 Park Row	220	1999	TDHCA
70	Rosehill Townhomes	2024 N. Washington	192	1999	DHA
71	Freemore @ LaPrade	2631 John West Road	196	1999	TDHCA
72	Edgewood Manor	1811/1821 South Boulevard	30	1999	TDHCA
73	Resound @ Arlington	1700 Chancellors Place	100	2000	TDHCA
74	Montech Townhomes	2402 Kirby Street	65	2000	DHA
75	Rosedale Townhomes	1917 N. Carroll Avenue	71	2000	DHA
76	Lakeview Community Townhomes	3400 Belknap Street	154	2000	DHA
77	Pennrose Oaks	2999 S. Hampton	240	2000	TDHCA
78	Living Villas	840 S. Irving Avenue	80	2001	TDHCA
79	Rosemont @ Timberlake	801 Beckmeide Avenue	109	2001	TDHCA
80	Rosehard Gardens	2000 N. Washington Avenue	101	2001	DHA
81	Resound @ Pemberton Hill	220 Stonerock Drive	236	2001	TDHCA

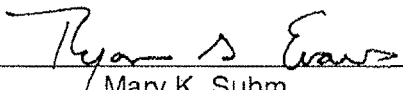


ID	Development	Project Address	Total Units	Year	Issuer
83	Rosemont @ Oak Hollow	2965 S Leebster	220	2001	TDHCA
84	Roseland Estates	3400 Mungen Avenue	103	2002	DHA
85	Prairie Commons	9600 Military Parkway	72	2002	TDHCA
86	Madison Point Apartments	5600 S RL Thornton Freeway	176	2002	TDHCA
87	Rosemont @ Bluff Ridge	8126 Clark Road	256	2002	TDHCA
88	Hickory Trace	8629 Old Hickory Trail	430	2002	TDHCA
89	Rosemont @ Cedar Crest	2813 Southern Oaks Boulevard	26	2002	DHRC
90	Spinn @ Mundann	7400 Loop 12	240	2002	TDHCA
91	Providence On the Park	2301 Old Hickory Trail	280	2002	DHRC
92	Porter House @ Pinson	2515 Perrin	280	2002	DHRC
93	Alton Woods @ Rosemont @ Lakewood	5039 N Hampton	151	2003	TDHCA
94	First Pegasus	7200 N Stannous Freeway	156	2003	TDHCA
95	West Virginia Apartments	7600 West Virginia Drive	202	2003	TDHCA
96	Rosemont @ Ashcroft	2309 John West Road	280	2003	TDHCA
97	Rosemont @ Meadow Lane	4701 Meadow Street	24	2003	DHRC
98	Arden Ridge	5601 Preston Lane	24	2003	DHRC
99	Piazza Fellowship	4900-4900 Hitched Street	76	2004	DHA
100	Shiloh Village Apartments	3702 Shiloh Road	168	2004	TDHCA
101	Pennrose @ Highland Meadows	2100 Highland Avenue	156	2004	TDHCA
102	Spinn @ Delatfield	8200 Horle Avenue	204	2004	TDHCA
103	Churchill @ Prindle Park	4400 N Cockrell Hill Road	200	2004	TDHCA
104	The Masters Apartments	4480 N Masters Drive	144	2004	DHRC
105	Rosemont @ Mission Trails (Hickoryland)	330 E Camp Western	250	2004	DHRC
106	Providence @ Village East	5151 Village Park Drive 15924	256	2004	TDHCA
107	Champion Townhomes of Pecos Grove	5111 Simpson Spur Rd	256	2004	TDHCA
108	Rosemont @ Sierra Vista	9901 Severe Rd	250	2004	DHRC
109	Pennrose @ Park Villas (Hickoryland)	2605 John West Rd	232	2004	DHRC
110	Traditions of Mountain Creek	SW corner of Skym and S E 10th	200	2005	DHRC
111	Prairie Townhomes	NE Quadrant of Cockrell Hill & W	100	2005	TDHCA
112	Reese Townhomes	1201 S Ewing	30	2005	TDHCA
113	St Augustine Seniors	NE Corner Burton & St. Al	150	2005	TDHCA
114	Pennrose Village - Rehab	378 North Elm Mile	204	2004	TDHCA
115	Grove Village - Rehab	7205 S Loop 12	232	2004	TDHCA
116	Providence at Working Bird	1895 W Woodcamp Lane	252	2005	TDHCA
Approved Tax Credits Under Construction			20,950		
114	Wahoo Frazier - Replacement *	4700 - 4900 Hatcher	118	2005	DHA
118	Mill City Parc Frazier*	4700 - 4900 Hatcher	116	2005	DHA
119	Fairway Crossing	7229 Ferguson Road	310	2005	TDHCA
			544		
120	City Walk at Ward	501N Ward	191	2006	TDHCA
TOTAL UNITS			21,688		




**JANUARY 23, 2008 CITY COUNCIL AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated January 23, 2008. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

  
\_\_\_\_\_  
Mary K. Suhm  
City Manager

1-11-08  
Date

  
for Edward Scott  
\_\_\_\_\_  
Edward Scott  
City Controller

1/11/08  
Date



# COUNCIL AGENDA

January 23, 2008

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DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)  
(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE  
DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

January 23, 2008

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CONSENT AGENDA (Continued)

**Housing** (Continued)

19. Authorize **(1)** adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #2 to reprogram \$280,000 of Community Development Grant Funds from Southern Sector Housing and Economic Development Financing to the Neighborhood Enhancement Program and Housing Services Program; and **(2)** a public hearing to be held on February 27, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City
20. Authorize **(1)** amendments to the Multifamily Project Review Criteria; and **(2)** a letter to be sent to the Texas Department of Housing and Community Affairs advising them and other city requirements that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket - Financing: No cost consideration to the City

**Office of Environmental Quality**

21. Authorize execution of a Memorandum of Agreement with the Texas Commission on Environmental Quality to delegate authority to the City to enforce Ordinance No. 26766, previously approved on May 23, 2007, which restricts idling by motor vehicles with a gross weight rating of over 14,000 pounds - Financing: No cost consideration to the City

**Office of Financial Services**

22. Authorize an amendment to the list of employees who are authorized to conduct transactions for the investment of City funds in the Texas Local Government Investment Pool - Financing: No cost consideration to the City

**Police**

23. Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2007 through September 30, 2008 - Not to exceed \$3,800,000 - Financing: Current Funds
24. Authorize **(1)** the Dallas Police Department to expend funds for overtime, in the amount of \$600,000, to be reimbursed from various federal and state law enforcement agencies for FY 2007-08 (list attached), **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$170,220, and **(3)** execution of the grant agreements - Total not to exceed \$770,220 - Financing: Current Funds (\$600,000 to be reimbursed by various federal and state law enforcement agencies)

**AGENDA ITEM # 20**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** January 23, 2008

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing

**CMO:** A. C. Gonzalez, 671-8925

**MAPSCO:** N/A

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**SUBJECT**

Authorize (1) amendments to the Multifamily Project Review Criteria; and (2) a letter to be sent to the Texas Department of Housing and Community Affairs advising them and other city requirements that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket - Financing: No cost consideration to the City

**BACKGROUND**

On October 8, 2003, the City Council approved a set of criteria to be considered during deliberation on multifamily applications for Dallas Housing Finance Corporation (DHFC) tax-exempt mortgage revenue bond financing. On September 25, 2004, the City Council extended the use of those criteria to deliberation of multifamily applications for Texas Department of Housing and Community Affairs (TDHCA) allocation of low income housing tax credits that require City Council approval. During fiscal year 2003-04, the City received multiple applications for approval of tax-exempt bonds and tax credits, many of which were located within one mile of each other and/or previously approved tax credit funded projects. As a result of these applications, on December 8, 2004, the City Council approved an amendment to the review criteria that would be applied to future applications for tax-exempt bond or low income housing tax credit projects in which such financing is subject to City of Dallas approval.

On January 11, 2006, the City Council approved the policy amendment that no new tax credit transactions are approved unless a waiver is granted by the City Council. The Applicant submits a project package along with a waiver fee of \$500. If the application is for the DHFC issued bonds, the DHFC Board recommends or denies approval of a waiver. If DHFC recommends the waiver, the project is sent to City Council for approval of the waiver along with staff recommendations.

### **BACKGROUND (continued)**

If Application is for TDHCA issued bonds or 9% tax credits, the project will be sent to City Council along with staff recommendations on the waiver.

On July 12, 2005, the City sent a letter to TDHCA stating that the City would not be reviewing any tax credit or tax exempt bond projects until the FBI work was completed and TDHCA is still operating under the assumption that Dallas is not open to approving new projects.

Based on improved market conditions in 2007 as compared to 2005 a briefing was presented to the Housing Committee on January 7, 2008 with the Housing Department recommending (1) an amendment of Priority #3 on Exhibit A, 1(c) of the Multifamily Project Review Criteria to add youth projects and Priority #4 on Exhibit A, 1 (d) of the to allow new construction of housing for low and moderate income households with priority given to Master Plan Developments, Mixed Income Developments and Transit Developments; and (2) authorization to send a letter to the TDHCA advising them of the change and informing them that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket.

This approval of the support of the tax credits for this project is contingent on the State agreeing to include in their Land Use Restriction Agreement (LURA), the City of Dallas' social service requirement as stated in the resolution approving the support of the tax credit for this project which is \$200 per unit for a minimum of \$40,000 per year. Fifty percent (50%) of this social service requirement can be in the form of in-kind contributions subject to the approval of the Housing Department.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On October 8, 2003, the City Council authorized review criteria for consideration of multifamily project applications for Dallas Housing Finance Corporation tax-exempt mortgage revenue bond financing by Resolution No. 03-2754.

On February 25, 2004, the City Council authorized the use of the DHFC bond project review criteria on multifamily project applications for TDHCA low income housing tax credits that are subject to City of Dallas approval by Resolution No. 04-0764.

On December 8, 2004, the City Council authorized the amendment for the project review criteria on multifamily project applications for DHFC proposed tax-exempt bond projects and TDHCA low income housing tax credit projects that require Dallas City Council approval by Resolution No. 04-3473.

On November 21, 2005, the Economic Development and Housing Committee was briefed.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)**

On January 11, 2006, the City Council approved an agenda item to amend the City of Dallas review criteria for multifamily project applications seeking City of Dallas approval by Resolution No. 06-0136.

On January 7, 2008, the Housing Committee was briefed on the current multifamily policy of the Housing Department.

**FISCAL INFORMATION**

No cost consideration to the City.



COUNCIL CHAMBER

January 23, 2008

**WHEREAS**, on October 8, 2003, the City Council approved project specific review criteria for consideration of tax-exempt mortgage revenue bond projects proposed by the Dallas Housing Finance Corporation (DHFC) by Resolution No. 03-2754; and

**WHEREAS**, under the Texas Department of Housing and Community Affairs (TDHCA) rules in the 2004 Qualified Allocation Plan and Rules (QAP), if a proposed development is located in a municipality that has more than twice the State average of units per capita supported by Low Income Housing Tax Credits or Private Activity Bonds, the applicant must obtain prior approval of the development from the governing body of the municipality; and

**WHEREAS**, on February 25, 2004, the City Council extended the October 8, 2003 DHFC project review criteria to tax credit projects proposed by the TDHCA that are subject to Dallas City Council approval, by Resolution No. 04-0764; and

**WHEREAS**, on December 8, 2004, the City Council approved the project specific review criteria for DHFC and TDHCA proposed tax-exempt bond projects that require Dallas City approval as an Exhibit "A"; and

**WHEREAS**, on July 12, 2005, the City sent a letter to TDHCA stating that the City would not be reviewing any tax credit or tax exempt bond projects until the FBI work was completed and TDHCA is still operating under the assumption that Dallas is not open to approving new projects; and

**WHEREAS**, on November 21, 2005, the Economic Development and Housing Committee was briefed on the multifamily policy criteria and the proposed changes; and

**WHEREAS**, on January 11, 2006, the City Council approved an agenda item (1) to amend the City of Dallas review criteria for multifamily project applications seeking City of Dallas approval for tax-exempt mortgage revenue bond and/or low income housing tax credits financing; (2) that applicants be required to submit a package along with an initial waiver fee of \$500 in addition to all other required fees for the approval process; and, (3) that the 120-day rule on moratoriums is not applicable to the approval of tax credit/tax-exempt bond projects by Resolution No. 06-0136; and

**WHEREAS**, there are no tax-exempt bond or low income tax credit applications currently pending before the Dallas City Council for consideration; and

COUNCIL CHAMBER

January 23, 2008

**WHEREAS**, on January 7, 2008, the Housing Committee was briefed on the current policy with the Housing Department recommending an amendment of Priority #3 on Exhibit A, 1(c) of the Multifamily Project Review Criteria to add youth projects and Priority #4 and on Exhibit A, 1 (d) of policy criteria to allow new construction of housing for low and moderate income households with priority given to Master Plan Developments, Mixed Income Developments and Transit Developments; and (2) authorization to send a letter to TDHCA advising them of the change and informing them that the City is willing to review applications on all tax credit transactions individually based upon supply and demand needs in the project's submarket; and

**WHEREAS**, this approval of the support of the tax credits for this project is contingent on the State agreeing to include in their Land Use Restriction Agreement (LURA), the City of Dallas' social service requirement as stated in the resolution approving the support of the tax credit for this project which is \$200 per unit for a minimum of \$40,000 per year. Fifty percent (50%) of this social service requirement can be in the form of in-kind contributions subject to the approval of the Housing Department; and

**WHEREAS**, the City Council desires to amend the review criteria to Priority #3 on Exhibit A, 1(c) of the Multifamily Project Review Criteria to add youth projects and Priority #4 1 (d) to read: new construction of housing for low and moderate income households with priority given to Master Plan Developments, Mixed Income Developments and Transit Developments; and (2) authorize that a letter be sent to the TDHCA advising them of the change and informing them that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:**

**Section 1.** That (1) amendments to Multifamily Project Review Criteria and attached hereto as "Exhibit A", is hereby approved; and (2) authorization is granted to send a letter to the TDHCA advising them and other city requirements that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket.

**Section 2.** That this approval of the support of the tax credits for this project is contingent on the State agreeing to include in their Land Use Restriction Agreement (LURA), the City of Dallas' social service requirement as stated in the resolution approving the support of the tax credit for this project which is \$200 per unit for a minimum of \$40,000 per year. Fifty percent (50%) of this social service requirement can be in the form of in-kind contributions subject to the approval of the Housing Department.

COUNCIL CHAMBER

January 23, 2008

**Section 3.** That this resolution shall take effect immediately from and after its passage, in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

**DISTRIBUTION:**

Housing Department

City Attorney's Office

Office of Financial Services/Community Development, 4FN

EXHIBIT A

Tax-Exempt Mortgage Revenue Bond and Low Income Housing Tax Credit  
Projects  
Multifamily Project Review Criteria

In determining whether to grant tax-exempt bond financing or approve an allocation of low income housing tax credits for any multifamily project, including senior, disabled or family projects, the City Council and, where appropriate, the Dallas Housing Finance Corporation, shall evaluate whether the proposed project is in the best interest of the City of Dallas. The decision will be evaluated based upon the following factors. No single factor is determinative or controlling.

1. Where the proposed project fits within the City's priorities which follow in order of priority:
  - a. Demolition and reconstruction of an existing substandard multifamily development;
  - b. Rehabilitation of an existing multifamily development;
  - c. New construction of housing for special needs such as senior households, AIDS or other disabilities, including housing for the homeless, youth projects on an individual basis; or
  - d. ~~Not accept any applications for tax credit financed projects for n~~ New construction of housing for low and moderate income households until October, 2006, after an annual review of the multifamily criteria has been conducted, unless special circumstances exist (i.e. with priority given to part of Master Plan ned Developments, Mixed Income Developments and Transit Developments.
2. Whether the City has already provided, or committed to provide, direct financial assistance to the project.
3. Whether the project involves the elimination of slum or blight already existing on the subject property.
4. Whether the site has appropriate zoning for the project.
5. The proximity and capabilities of nearby schools, and comments of school district officials regarding the project.
6. The comments of owners and residents of properties located in the surrounding area at a public meeting held in the community in which the project will be located, attended by City of Dallas or Dallas Housing Finance Corporation representatives.

7. Whether there is already an over-concentration of multifamily development in the surrounding area.
8. Whether the applicant has agreed to incorporate appropriate safety and security features into the project.
9. Whether the applicant has responded to and/or plans to address the lawful concerns, if any, raised by residents or owners of properties in the surrounding area.
10. Whether the proposed project will be of high quality.
11. Whether the applicant has taken into consideration, in the project design, the standard or specialized needs of expected tenants.
12. Whether the proposed project will have an adverse effect on the surrounding area.
13. Whether the project is compatible with existing or anticipated single-family developments in the surrounding area.
14. Whether the project is compatible with existing or anticipated uses allowed under current or anticipated zoning in the surrounding area.
15. Whether the estimated parking demand and trip generation for the project will impose an undue burden on public facilities.
16. Whether the current and probable future capacities of adjacent and nearby streets on the City's thoroughfare plan are adequate to address any anticipated changes caused by the project.
17. Whether there is existing or proposed adequate public transit available.
18. Whether the location, density and height of the buildings, structures, and equipment will be detrimental or injurious to future development of the surrounding area or otherwise impose an undue burden on public facilities.
19. Whether trees will be planted or protected and other landscaping provided to create, preserve, and enhance the natural beauty and vegetative space in the vicinity of the project.
20. Whether managers of the project will reside on site.

21. Whether the Applicant has demonstrated the financial capacity to complete and operate the project.
22. Whether the proposed project's rental market has the ability to absorb the proposed additional rental units.
23. If two or more new projects are proposed within a mile of each other, whether either or any of the projects:
  - a. Contributes to the rehabilitation or elimination of substandard housing;
  - b. Provides a significantly lower density of units per acre; or
  - c. Provides revenues for the creation or support of additional affordable housing.
24. Whether the Applicant has presented a suitable development plan for the entire development site, including property acquired by the Applicant in excess of that to be developed specifically for the project.
25. Whether there exists any other factor relevant to the issue of whether the project is in the best interest of the City of Dallas.



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 23, 2008

08-0290

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis, Atkins,  
Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (\*9:23 a.m.)

ABSENT: [1] Leppert (Absent on City Business)

The meeting was called to order at 9:01 a.m.

The assistant city secretary announced that a quorum of the city council was present.

The invocation was given by R. D. Price, Reverend of New Mt. Zion Baptist Church.

Deputy Mayor Pro Tem Caraway led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 2:42 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Assistant City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

**\* Indicates arrival time after invocation and pledge of allegiance.**

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2/13/2008 9:24:35 AM

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2008

08-0312

Item 20: Authorize (1) amendments to the Multifamily Project Review Criteria; and (2) a letter to be sent to the Texas Department of Housing and Community Affairs advising them and other city requirements that the City is willing to review applications on all tax credit transactions individually, based upon supply and demand needs in the project's submarket - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 20 be considered as an individual item. Mayor Pro Tem Garcia stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 20 was brought up for consideration.

Councilmember Salazar moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent when vote taken; Leppert absent on city business)

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2/13/2008 9:24:35 AM

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Respectfully Submitted,

/s/ Michael M. Daniel

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Attorney for Plaintiff

Certificate of Service

I hereby certify that on July 17, 2008 I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case files system of the court. The electronic case files system sent a "Notice of Electronic Filing" to the following individual who has consented in writing to accept this Notice as service of this document by electronic means: Timothy E. Bray.

s/ Michael M. Daniel